

Updates on Complaints
(Position as at 1.3.2014)

A. Complaints considered by the Communications Authority¹ which have been deliberated by Broadcast Complaints Committee from January to February 2014

Title	No. of Complaints	Substance of Complaint	Decision
Hong Kong Connection (鏗鏘集) RTHK (TVB Jade) 13.10.2013 (7:35pm – 8:00pm)	76	<ul style="list-style-type: none"> – The programme had a preset standpoint, was partial and misleading, was biased towards those who opposed the Government but against those who loved Hong Kong (such as by deliberately showing footage of a woman attacking a person and a man butting the camera of a press photographer, without reporting that the concerned persons were provoked to react in such a manner), distorted facts and split the community. – The programme was biased against and unfair to the police (e.g. eight out of the nine interviewees in the programme were against the Government and the police, and a judge’s verdict of a court case was quoted immediately after the police’s 	<p>The Communications Authority (CA), having regard to the relevant facts of the case, considered that –</p> <ul style="list-style-type: none"> (a) the programme discussed the role of the police in handling demonstrations amid the increasing split and confrontation between protesters of different standpoints, rather than to support or oppose any persons or organisations involved in the demonstrations; (b) regarding the allegation that the majority of the interviewees in the programme were dissatisfied with the police and the Government, it should be noted that the due impartiality requirement as set out in the TV Programme Code was not about equal share of programme time on different views or equal number of interviewees from different sides. It was about whether the programme had provided an opportunity for different views to be expressed and had included the views expressed in the programme. In the present case, in addition

¹ The content of Section A about complaints considered by the Communications Authority is extracted from the homepage of the Communications Authority:
http://www.coms-auth.hk/en/complaints/handle/broadcasting_services/complaints_ca/index.html

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		<p>response on its manpower deployment for crowd control and this might give an impression that there was excessive police interference to the public). Nonetheless, it did not provide an opportunity for the police to respond.</p> <ul style="list-style-type: none"> - Footage of past demonstrations was intentionally edited in a way to put the blame on the police without condemning those disrupting social order. This was biased towards those parties and glorified their illegal acts. - The footage on two protestors was filmed by the director of a human rights concerns group, which cast doubts on RTHK's neutrality. 	<p>to interviewing a representative from a police officers' association, RTHK submitted that they had also invited the Hong Kong Police Force and the other police officers' association to respond. Both declined the offer but gave their written replies which were quoted in the programme. The programme also interviewed a member of Independent Police Complaints Council (IPCC) who talked on matters of principles only without taking any side. As such, RTHK had made reasonable efforts to include different views in the programme to achieve a sense of balance;</p> <p>(c) regarding fairness, the programme had given timely opportunity for the police and two police officer associations to respond to the criticisms raised and had included the interview of a representative of a police officers association and the written replies of the police and the other police officers association. There was also footage showing that frontline police officers were restrained and courteous in handling strong emotions and vituperation of protesters. There was no evidence that the programme had breached the fairness provisions in the TV Programme Code;</p> <p>(d) the programme was not to provide detailed accounts of the incidents or demonstrations shown and there was no evidence that the footage so edited was with the intention to blame the police.</p> <p>(e) the judge's verdict was not contradicting the</p>

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			<p>police's response and would unlikely be regarded as a generalisation of excessive police interference to the public;</p> <p>(f) there were no evidence that the brief shots of the behaviour of the protesters were biased against or towards the concerned protesters; and</p> <p>(g) the allegation against RTHK's neutrality by broadcasting footage produced by a representative of a human rights concern group was outside the remit of the CA.</p> <p>In view of the above, the CA considered the complaints unsubstantiated and decided that no further action to be taken against RTHK.</p>

B. Complaints dealt with by the Director-General of Communications² falling under Section 11(1) of the Broadcasting (Miscellaneous Provisions) Ordinance³ in October 2013

Title	No. of Complaints	Substance of Complaint	Decision
		(For internal reference)	

**Radio Television Hong Kong
March 2014**

² The content of complaints dealt with by the Director-General of Communications is no longer disclosed on the web with effect from April 2012. The content and decisions on complaints listed in Section B are issued by the Communications Authority for internal reference of broadcasters concerned and should not be disclosed to other parties.

³ Section 11(1) of the Broadcasting (Miscellaneous Provisions) Ordinance (Cap 391) provides that Communications Authority (which is established by section 3 of the Communications Authority Ordinance (Cap 616)) shall refer to the Broadcast Complaints Committee complaints about contravention of the said Ordinance, the Broadcasting Ordinance (Cap 562), Part IIIA of the Telecommunications Ordinance (Cap 106), the terms or conditions of a licence or a Code of Practice.